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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,102	08/04/2003	Takayuki Nakagawa	450100-04697	5862

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EXAMINER	
FINDLEY, CHRISTOPHER G	
ART UNIT	**PAPER NUMBER**
2621	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/634,102	NAKAGAWA ET AL.	
	Examiner	Art Unit	
	CHRISTOPHER FINDLEY	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 August 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-12,14,15 and 17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-12,14,15 and 17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 8/10/2009 have been fully considered but they are not persuasive.

2. Re claims 1, 9, and 17, the Applicant contends that the prior art cited fails to teach or suggest sequentially reproducing each content block from its beginning for only a predetermined time less than an amount of time to reproduce the content block. However, the Examiner respectfully disagrees. Kawamura discloses that time codes, tracks and sections are given for each path, wherein time codes denote the period of time elapsed since the beginning of the program or track (Kawamura: paragraph [0096]). Kawamura further discloses that it is possible for a jump to occur within a track (Kawamura: paragraph [0096], with reference to Fig. 5). Therefore, the jump may occur before the end of the track according to a predetermined time code.

3. Re claims 1, 9, and 17, the Applicant also contends that the prior art cited fails to teach or suggest changing the jump destination based upon an amount of elapsed time from a beginning of reproduction of a content block. However, the Examiner respectfully disagrees. Again, the Examiner notes that Kawamura discloses that time codes, tracks and sections are given for each path, wherein time codes denote the period of time elapsed since the beginning of the program or track (Kawamura: paragraph [0096]). Kawamura also discloses that several possible section paths may exist for a given video program (Kawamura: Fig. 3 and paragraphs [0082]-[0084]). Kawamura further discloses an example, where the jumping destination varies

according to the jump point of the video program (Kawamura: Fig. 4 and paragraph [0085]), thus showing that the jump destination changes depending on what temporal point in the program the jump occurs.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-4, 6-12, 14, 15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamura et al. (US 20020044757 A1).

Re **claim 1**, Kawamura discloses a reproduction controlling apparatus (Kawamura: paragraph [0169]) comprising: user interface receiving user input according to operation by a user (Kawamura: paragraph [0174]); auxiliary information generation means for generating auxiliary information based on a first event notice related to reproduction operation regarding content recorded in a recording medium (Kawamura: paragraph [0176], entry points) and a second event notice indicating reproduction position information of said recording medium (Kawamura: paragraph [0190], “sector currently reproduced”); comparison-computation means for comparing or computing reproduction position information indicated by said auxiliary information with reproduction position information indicated by a later received second event notice to determine amount of elapsed time (Kawamura: paragraph [0190]; paragraph [0096],

actual time code, tracks, and sections are given for each path, wherein time codes denote the period of time elapsed since the beginning of the program or track); and command issuing means for issuing a command for controlling reproduction operation of said content, based on the amount of elapsed time (Kawamura: paragraph [0190], the controller 2120 compares sector addresses and directs the drive controlling circuit in accordance with position information; paragraph [0096], actual time code, tracks, and sections are given for each path, wherein time codes denote the period of time elapsed since the beginning of the program or track) and the user input (Kawamura: paragraph [0174], the controller 2120 controls the drive controlling circuit 2106 in response to the user input; paragraphs [0035] and [0037], the user selects among plural recorded versions of a video work; paragraph [0026], each version of the video work corresponds to a specific playback path), wherein (b) for a user input play previous content block operation, a jump destination of a command changes based upon the amount of elapsed time from a beginning of reproduction of a content block (Kawamura: paragraph [0117], the user can jump directly to a specific track of a specific program; paragraph [0112], jumping to a specific program includes jumping to the beginning of the present track and further back if desired; paragraph [0108], the path_descriptor( ) area is provided in the PSM of the entry sector and includes time codes for each path, thereby allowing an accurate time indication to be given for each particular path even though certain sections of data may be common to different paths; Fig. 4 and paragraph [0085], the jump destination changes depending on what temporal point in the program the jump occurs).

Kawamura also discloses that path information is indicative of one or more versions of video information sections to be reproduced in a linked fashion, the path information being indicative of sections to be reproduced consecutively (Kawamura: paragraph [0015]) and the user can jump directly to a specific track of a specific program, thus indicating that the path information containing linked sections play continuously until a user selects otherwise (Kawamura: paragraph [0117]). Kawamura discloses that time codes, tracks and sections are given for each path, wherein time codes denote the period of time elapsed since the beginning of the program or track (Kawamura: paragraph [0096]). Kawamura further discloses that it is possible for a jump to occur within a track (Kawamura: paragraph [0096], with reference to Fig. 5). While Kawamura does not explicitly state that for a user input skip operation, each content block is sequentially and automatically reproduced from its beginning for only a predetermined time, wherein the predetermined time being less than an amount of time to reproduce the content block, the Examiner respectfully asserts that one of ordinary skill in the art at the time of the invention would have found it obvious that in view of the above cited portions of Kawamura, the jump may occur before the end of the track according to a predetermined time code.

Re **claim 2**, Kawamura discloses information storage means for storing auxiliary information generated by said auxiliary information generation means (Kawamura: paragraph [0176], entry point storing unit 2122); wherein said comparison-computation means performs comparison or calculation by utilizing reproduction position information indicated by auxiliary information read out from said information storage means

(Kawamura: paragraph [0190], "controller 2120 compares the sector address of the sector currently reproduced from the drive control circuit 2106 to the sector address stored in entry point storing unit 2122").

Re **claim 3**, Kawamura discloses that the first event notice comprises notice of start of reproduction of a content block constituting said content (Kawamura: paragraph [0174]); and said auxiliary information generation means generates said auxiliary information based on a content block to be reproduced and reproduction position information at an event of reproduction of such content block (Kawamura: paragraph [0176]).

Re **claim 4**, Kawamura discloses that said command issuing means changes a content block to be reproduced based on the amount of elapsed time (Kawamura: paragraph [0190]; paragraph [0096], actual time code, tracks, and sections are given for each path, wherein time codes denote the period of time elapsed since the beginning of the program or track).

Re **claim 6**, Kawamura discloses that said first event notice comprises notice of start of reproduction of a content block constituting said content (Kawamura: paragraph [0174]); and said auxiliary information generation means generates said auxiliary information based on a content block to reproduced and reproduction position information at an event of reproduction of such content block (Kawamura: paragraph [0176]).

Re **claim 7**, Kawamura discloses that said command issuing means changes a content block to be reproduced based on the amount of elapsed time (Kawamura: paragraph [0190]; paragraph [0096], actual time code, tracks, and sections are given for each path, wherein time codes denote the period of time elapsed since the beginning of the program or track).

Re **claim 8**, Kawamura discloses that if there is an issuing operation for a command for controlling reproduction of said content, said command issuing means issues said issued command by converting or adjusting said issued command based on a result of comparison or computation by said comparison-computation means (Kawamura: paragraphs [0196]-[0197]).

Claim 9 recites the corresponding reproduction controlling method implemented by the reproduction controlling apparatus of claim 1. Therefore, claim 9 has been analyzed and rejected with respect to claim 1 above.

Claim 10 has been analyzed and rejected with respect to claim 2 above.

Claim 11 has been analyzed and rejected with respect to claim 3 above.

Claim 12 has been analyzed and rejected with respect to claim 4 above.

Claim 14 has been analyzed and rejected with respect to claim 6 above.

Claim 15 has been analyzed and rejected with respect to claim 7 above.

Claim 17 recites the corresponding computer readable medium containing computer executable programs for causing a computer to implement the method of claim 9. Therefore, claim 17 has been analyzed and rejected with respect to claim 9 above.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

a. Data reproduction apparatus and reproduction method
Ichikawa et al. (US 6959141 B1)

b. Transport stream processing device, and associated methodology of generating and aligning source data packets in a physical data structure
Kato (US 7106946 B1)

c. Method and apparatus for compensating reproduced audio signals of an optical disc
Cho (US 20020110366 A1)

d. Information recording medium, apparatus and method for recording/reproducing information to/from the medium
Kawasaki et al. (US 20020131761 A1)

e. Reproducing apparatus and reproducing/recording apparatus memorizing identification information of optical information media and method thereof
Sakuramoto (US 20020126992 A1)

f. Fast forward trick mode and reverse trick mode using an information file

Lin et al. (US 20030077071 A1)

g. Information record medium and apparatus for reproducing information according to navigation information

Moriyama et al. (US 7095951 B2)

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER FINDLEY whose telephone number is (571)270-1199. The examiner can normally be reached on Monday-Friday (8:30 AM-5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/
Supervisory Patent Examiner, Art Unit 2621

/Christopher Findley/